

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOHN DOE,)
)
Plaintiff,)
)
v.) No. 4:10-CV- 2158-JAR
)
CITY OF ST. LOUIS, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

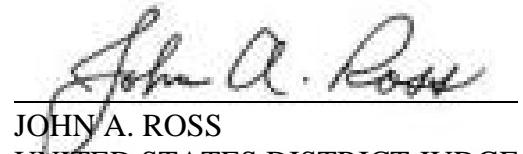
This matter is before the Court on Defendants' Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim on Which Relief May be Granted [ECF No. 206] and Plaintiff's Motion to Strike/Summarily Deny Defendants' Motion to Dismiss, or, in the Alternate, Clarify Scheduling Order [ECF No. 209]. Pursuant to the Case Management Order in this case, “[a]ny motions to dismiss, motions for summary judgment, motions for judgment on the pleadings or, if applicable, any motion to exclude testimony ... must be filed no later than **December 4, 2011.**” (Doc. No. 29, p. 2). The Court will, therefore deny Defendants' motion as untimely.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim on Which Relief May be Granted [ECF No. 206] is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Strike/Summarily Deny Defendants' Motion to Dismiss or, in the Alternate, Clarify Scheduling Order [ECF No. 209] is **DENIED** as moot.

Dated this 11th day of April, 2012.


John A. Ross
JOHN A. ROSS
UNITED STATES DISTRICT JUDGE